

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

**CONSOLIDATED UNDER
CASE NO. 05-10155 PBS**

YISEL DEAN, et. al.,)	
)	
Plaintiff,)	
vs.)	
)	
RAYTHEON COMPANY, et al.,)	Case No.: 05 CV 10155 PBS
)	
Defendants.)	
)	

LISA A. WEILER, et. al.,)	
)	
Plaintiff,)	
vs.)	
)	
RAYTHEON COMPANY, et al.,)	Case No.: 05 CV 10364 PBS
)	
Defendants.)	
)	

PLAINTIFFS' RULE 26 INITIAL DISCLOSURES

Plaintiff, by and through its undersigned counsel, makes the following initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1):

A. Persons Likely to Have Discoverable Information:

Raytheon or Colgan Employees/Agents:

Rob Ramey	Accident Investigator
Mike Scheidt	Raytheon relationship with Colgan and lease of UE-40
Brian Burris	Raytheon relationship with Colgan and lease of UE-40

Tom Peay	Raytheon relationship with Colgan and lease of UE-40
Karen Jenkins	Raytheon relationship with Colgan and lease of UE-40
Andrew Matthews	Raytheon relationship with Colgan and lease of UE-40
Tim Dieker	Raytheon relationship with Colgan and lease of UE-40
Willard Crowe	Elevator trim controls and manuals
A. J. Lusch	Proper repair techniques
Lee Rhodes	Colgan maintenance issues
Dean Thompson	Accident Investigator
Lou Johnson	CVR review
Tim Green	Technical representative interacting with Colgan
Chris Berquist	Technical representative interacting with Colgan
Matt McCarthy	Technical representative interacting with Colgan
Mike Jolicouer	Technical representative interacting with Colgan
Mike Johnson	Technical representative interacting with Colgan
Gregory Thummel	Parts issues
Records Custodian	
Other Raytheon employees, former employees and corporate representatives with knowledge as of yet unnamed or unknown.	

Michael Colgan	Company President
Robert Moorehead	NTSB participant
LaDonn James Nunn	VP-Operations, NTSB participant
Dave Vance	NTSB participant
Dan Kinan	Lead mechanic, replaced cable
Scott Servis	Replaced cable
Gerry Shutrump	Current director of maintenance
Dominick Battaglia, Jr.	Colgan mechanic
Perry Sarluca	Colgan mechanic
Jimmy Desmond	Colgan mechanic
Kevin Gonzales	Colgan mechanic
Jeff Vallejo	Colgan mechanic
Miguel Rodriguez	Past director of maintenance
John E. Barrett	
Patti Barth	
Matt Callender	
Marcus Cunningham	AJ report
Scott Gebauer	
James Ham	AJ report
Dennis Lemos	

Larry Ratliff	
Ed Vilchez	AJ report
Jeb Barrett	
James Desmond	
Kim Erzen	
Ron Jaerger	
Matt McCarthy	
Bob Pedroja	
Dave Rosenberg	
Dean Thompson	
Records Custodian	
Other Colgan employees, former employees, and representatives, or others with knowledge as of yet unnamed or unknown	

Others:

Yisel Dean	
Robert Dean	
Lisa Weiler	
Alice Knabe	
Robert J. Gretz	NTSB Investigator in Charge
Floyd A. James	FAA participant in FAA investigation
Steven Magladry	NTSB Airworthiness Group Chairman
Casey Davis	
Jenny Elsenrath	
Pete Kriegler	
A.J. Lusch	
P. Armstrong	Director of Recreation, Town of Yarmouth, witnessed plane taking off – RAC 00224
Jackie Berger	
Chris Berquist	
Thomas Berthe	Pratt & Whitney Canada
Tim Bischoff	(saw accident) RAC 000227
Douglas P. Brazy	NTSB RAC000374
William Bramble, Ph.D.	NTSB
Richard Bunker	MA Aeronautics Commission
Brian Burris	
Robert Busto	FAA
Stephen Carbone	NTSB
John Clark	NTSB
Dennis Crider	NTSB RAC 000234-252
Stephen Demko	

Tim Dieker	
Les Door	FAA
Jerry Earleywine	
John D. Falvey	RAC 000222 (was fishing when plane took off)
John Goglia	NTSB
Dennis Grossi	NTSB Flight Data Recorder Study RAC 000253
Stephen Grotta	FAA
Bob Hartman	
Bob Hogan	
Rob Houghton	
Conrad Jackson	
Tony James	FAA
Karen Jenkins	
Lou Johanssen	
Deepak Joshi	NTSB
Jim Kittredge	(heard airplane didn't sound normal) RAC 000228
Regan Koch	
Andrew Matthews	
Gary Mahoney	
Bryan Moore	(interviewed by Gretz – heard flight crew report a runaway trim) RAC 000226
Richard I. Peck	Inspector FAA RAC 000276
Charles D. Riddle	RAC 000667
Larry Robinson	
Lee Rhodes	
Lt. Paul Rooney	Yarmouth Police Department
David Rosenberg	
Kate Spade	RAC
Jerry Staab	
John Tigue	RAC
Dana Schulze	NTSB
Mike Thummel	
"Tuha"	
Emory Van Kirk	
Eric West	FAA

In addition individuals listed in the documents produced by Defendants, or, discussed in depositions, or whose existence and/or knowledge subsequently discovered are deemed included.

B. Documents, data compilations, and tangible things:

1. Documents relating to the lease of UE-40
 - a. Used Airliner Airplane Warranty Effective 1999 and After

- b. January 9, 2003 Side letter agreement between Colgan and RAAS.
 - c. January 3, 2003 letter from Karen Jenkins to Distribution and Lease Agreement between Colgan and RACC dated January 3, 2003. Not produced is the signed list of "Loose Equipment Check List and Manuals & Records" referenced in the Certificate of Final Acceptance.
 - d. Definitive Agreement between Colgan and RACC and RAAS dated August 1, 2002)
 - e. August 12, 2002 Letter from Brian Burris transmitting Definitive Agreement
 - f. Fax 12/31/02 with 2-page attachment to Karen Jenkins from Carolann Duiven
 - g. Lease – 1/3/03 and 1/3/03 letter from Karen Jenkins to Distribution
 - h. Warranty (used airliner) Effective 1999 and after
 - i. Operating Lease proposal between Colgan and RAAS and RACC dated March 15, 2002
 - j. Chain of Title documents from Morgan Aircraft Title Service – 3/14/05
 - k. Chain of Ownership from Aero Records & Title Co. – 4/7/05
 - l. Exhibit 71 to Barth Exhibit – Memo from Jenkins 1/3/03 (3 pages)
 - m. Side letter agreement 1/9/03 between Colgan and RAAS
 - n. License Agreement – REPS with limited warranty
 - o. REPS 1900D Maintenance Manual 129-59000 – Version 9 CD
2. REPS Manual, Revision 9, excerpts: Table of Contents for Chapter 27; Chapter 27-00-00, including Temporary Revision 27-7; Chapters 27-30-00 through 27-30-09

3. REPS Manual, Rev. 9 – CD Rom
4. Beech 1900D Airliner Maintenance Manual – including Warnings, Cautions and Notes, Elevator Tab Control Cable Winding (Figure 201), Drafts
5. Chapter 27-30 of the maintenance Manual
6. Chapter 20-00-00 of the 1900D Airliner Maintenance Manual (Part Number 129-590000-15)
7. AMM Revision A29 dated July 26, 2002 – Page 201 of Section 27-30-09
8. AMM Revision A31 dated July 25, 2003 – Page 201 of Section 27-30-09
9. Service Bulletin (Mandatory) SB 27-3202; Title: Flight Controls – Elevator Trim Tab Actuator Inspection/Modification, issued July 2003
10. Beech 1900D Airliner Flight Manual – Section IV (RAC 1242-1291) – same as Exhibit 67 to Barrett Deposition
11. Beech 1900D Airliner Pilot's Operating Manual
12. Exhibit 89 to Crowe deposition - pages from flight manual
13. Fax to Dennis Lemos 7/9/03 from Matthew J. McCarthy
14. Fax to Miguel Rodriguez 8/27/03 from Tim Green
15. Revision A33, Maintenance Manual
16. Revision A35 Maintenance Manual
17. Publication Change Request dated July 25, 2003 – Memo from Willard Crowe to Raytheon Aircraft Company
18. Maintenance Training Manual dated January 28, 2003
19. General Maintenance Manual – including Volume V
20. Parts Manuals
21. CAMP Manual

22. FOPP Manual
23. Beech 1900 Company Flight Manual
24. Illustrated Parts Catalog
25. Flight Manual
26. Flight Operations Policies and Procedures Manual
27. Elevator Trim Tab – Maintenance Practices
28. Presentation – Elevator Trim Actuators – ATA 27
29. Video and Photos of 1900D – AERS (CD-Rom)
30. Memo from Tim Green to Miguel Rodriguez regarding Elevator Trim Actuators p/n 129-526033-7 (L/H) and 129-526033-9 (R/H) relative to Beech 1900D Airliner s/n UE-40
31. Letter from Robert Ramey of Raytheon to Steven Magladry dated November 4, 2003
32. Letter to Robert Busto from Robert Ramey (Raytheon) dated November 14, 2003
33. Letter to NTSB from Robert Ramey regarding Elevator Trim System and Service Bulletin
34. Letter to Bob Gretz from Robert Ramey (Raytheon) dated January 14, 2004
35. Letter to Bob Gretz from Raytheon dated May 21, 2004 re: REPS 1900D
36. Vertex Aerospace Submission to NTSB regarding January 2003 accident
37. Colgan Air Audit on November 8, 2002
38. DOD Audit of Colgan
39. US Airways Audit of Colgan and Co.
40. Colgan Response to US Airways Audit

41. Aircraft Certification Service – AD Proposal Worksheet dated May 1994 revised July 17, 1995
42. Maintenance Work Order dated August 24, 2003
43. Maintenance Work Order dated August 24, 2003 - Kinan
44. Maintenance Work Order dated August 25, 2003
45. Email from Hyannis Maintenance Department (Perry Sarluca) to Mike Jolicoeur dated August 25, 2003
46. Scott N. Servis – Work Schedule August 16 through August 29
47. Elevator Tab Cables – Maintenance Practices
48. Elevator Tab Actuators – Maintenance Practices
49. Elevator Trim Tab Servo System – Maintenance Practices
50. Ratliff Training Report – November 5, 2002 through January 28, 2003
51. Repair Work Order Form dated August 23, 2003
52. Repair Work Order Form dated July 13, 2003
53. Serviceable Unit Data dated August 23, 2003
54. Dominick Battaglia – Work Schedule August 16 through August 29
55. Desmond Training Report – January 22, 1990 through March 27, 2003
56. Vallejo Training Report – June 21, 2003 through July 29, 2003
57. Training Report – January 30, 2002 through October 20, 2003
58. Elevator Airworthiness and Tab Freeplay Check
59. Detail #6 Panel Chart
60. Detail #6 Tally Sheet
61. Aircraft Schedule Maintenance Forecast dated August 22, 2003
62. Aircraft Schedule Maintenance Forecast dated August 26, 2003

63. Release Checklist dated August 24, 2003
64. Airworthiness Release dated August 26, 2003
65. Elevator Tab Control Rigging – Maintenance Practices
66. Raytheon Aircraft Company Mandatory Service Bulletin SB 27-3202;
Title: Flight Controls – Elevator Trim Tab Actuator
Inspection/Modification, issues July 2003.
67. Raytheon Aircraft Safety Communique, September 2003
68. Raytheon Aircraft Temporary Revision 27-9
69. Raytheon Aircraft Temporary Revision 27-10
70. Raytheon Technical Publications Desktop Procedures Style Guide for
Commercial Maintenance Manuals
71. Raytheon Technical Publications Desktop Procedures Style Guide for
Pilot's Operating Handbooks and FAA Approved Airplane Flight
Manuals
72. Flight Times Report for Scott Knabe
73. Flight Times Report for Steven Dean
74. Sworn Statement in Proof of Loss
75. FAA Airworthiness Directive AD2003-20-10 – effective October 15,
2003
76. Trim Cable Drum from accident aircraft
77. N240CJ Records relating to maintenance and trim cable
78. Purchase Order 1900 C/D REPS CD
79. Purchase Order 4800
80. Purchase Order 10305
81. Raytheon Aircraft Invoice 91719001
82. Beechcraft 1900 Normal Checklist

83. Photos from Rob Ramey File (CD Rom)
84. Advisory Circular No. 43.13-1B
85. 1900 Heritage printout from RAAS website
86. Service Difficulty Reports – September 1 through October 3, 2003
87. Service Difficulty Reports – June 25, 1996 through August 20, 2002
88. FAA Maintenance Training Notebook AC-65-15A
89. Chronology of contact between Colgan Air and RAC during period August 23-26, 2003 dated August 26, 2003
90. Elevator Trim Tab Cables – Maintenance Practices
91. Elevator Trim Tab Cables – Maintenance Practices – New Procedure, REPS (Rev. 16)
92. History of 1900D AMM Page Block 27-30-09-201
93. Email from Dean Thompson to Doris Waggoner dated September 12, 2003 re: UE-40 update
94. Inventory Analysis Detail Inquiry
95. Email from Matt McCarthy to Dave Rosenberg dated August 25, 2003
96. Fax from Dean Thompson to Garry Mahoney dated August 29, 2000 re: letter from CommutAir
97. Letter to Robert Houghton (Champlain Enterprises, Inc.) from Tom Peay dated October 23, 2000 re: 1900D hydraulic landing gear valve
98. Memo from Safety Communique dated September 2003 re: Elevator Trim Tab Cable Installation
99. Draft Telephone Contact Report from Mike Jolicoeur dated August 23, 2003
100. Telephone Contact Report – 7/9/03
101. Telephone Contact Report – 8/21/03
102. RAC Letter 940-2004-05-133 to NTSB dated May 6, 2004

103. Party Submission of Colgan Air to the NTSB.
104. RAC Submissions May 6, 2004 and August 12, 2004 to NTSB
105. RAC Letter 940-2004-07-191 to NTSB dated August 12, 2004
106. Raytheon Aircraft Company letter 940-2004-05-133, dated May 6, 2004
107. Colgan Air, Inc. Submission to the NTSB.
108. Colgan Air-Beechcraft 1900 Normal Checklist Volume XXX Revision 5 dated March 14, 2003.
109. Telephone Contact Report dated May 15, 2005
110. Letter from Raytheon to Colgan Air (Mike Colgan) dated March 15, 2002
111. Letter from Raytheon (Brian Burris) to Patti Barth dated August 12, 2002
112. Letter from Raytheon to Mike Colgan (Side Letter Agreement) dated January 9, 2003
113. Used Beechcraft 1900D Airliner Operating Lease Agreement between Raytheon Aircraft and Colgan Air, Inc.
114. Data Route and Approval (Elevator Trim Tab Cable Installation)
115. Data Route and Approval (Model 1900D Airliner Maintenance Manual Temporary Revision 27-9)
116. Safety Communiqué No. 234 regarding Elevator Trim Tab cable Installation
117. Raytheon Aircraft Company Policies and Procedures, General
118. Email from Madella Paquette to Kimberly Ernzen regarding Safety Communiqué 234 dated September 14, 2003
119. RAC letter 940-2003-10-175 to NTSB dated October 7, 2003
120. RAC letter 940-2003-10-576 to NTSB dated October 27, 2003

121. RAC letter 940-2003-11-085 to NTSB dated November 4, 2003
122. RAC letter 940-2003-aa-088 to NTSB dated November 6, 2003
123. RAC letter 940-2003-11-337 to FAA dated November 6, 2003
124. RAC letter 940-1003-11-418 to NTSB dated November 20, 2003
125. RAC letter 940-2003-12-050 to NTSB dated December 1, 2003
126. RAC letter 940-2003-12-476 to NTSB dated December 22, 2003
127. Email dated September 2, 2003 - Colgan to Raytheon.
128. FAA letter to RAC dated January 9, 2004; Subject: Compliance Review Beech 1900 Series Flight Control Trim System.
129. FAA letter to RAC dated January 13, 2004; Subject: Raytheon Model 1900C/D Aileron and Rubber Trim System Control Authority.
130. RAC letter 940-2003-01-221 to NTSB dated January 14, 2004
131. RAC letter 940-2004-02-055 to NTSB dated January 23, 2004
132. Draft Group Chairman's Factual Report NYC03MA183.
133. RAC letter 940-2004-04-097 to NTSB dated April 5, 2004
134. RAC letter 940-2004-04-420 to NTSB dated April 21, 2004
135. RAC letter 940-2004-04-471 to NTSB dated April 22, 2004
136. NTSB Draft Airworthiness Group Chairman's Factual Report of Investigation NYC03MA183.
137. RAC letter 940-2004-05-079 to NTSB dated May 4, 2004
138. NTSB Draft Factual Report NYC03MA183.
139. RAC letter 940-2004-05-207 to NTSB dated May 11, 2004
140. RAC letter 940-2004-05-425 to NTSB dated May 21, 2004
141. RAC letter 940-2004-04471 to Steven H. Magladry, dated April 22, 2004

142. RAC Letter 940-2005-05-133 to Bob Gretz, dated May 6, 2004
143. RAC letter 940-2004-05-510 to NTSB dated May 27, 2004
144. RAC letter 940-2004-06-074 to NTSB dated June 2, 2004
145. RAC letter 940-2004-09-441 to NTSB dated September 22, 2004
146. RAC letter 940-2003-11-088 to NTSB dated November 14, 2003
147. RAC letter 940-2003-12-050 to NTSB dated December 1, 2003
148. Factual Aircraft Accident Investigation Report.
149. Employee Records for Knabe and Dean
150. Damages documentation and medical reports as available
151. Summary of Expenses, invoices, bills, and other such costs
152. Reports of Experts as appropriate
153. Order of Suspension of Daniel R. Kinan
154. Order of Suspension of Dominick Battaglia, Jr.
155. RAC presentation given to FAA August 11, 2004
156. FAA Letter December 10, 2004
157. Colgan's Maintenance Training Manual
158. Course material for Beech Phase I and II training courses Numbers MT 204 and 205
159. Training handouts re: RII and Airworthiness courses – nos. MT401-404
160. Training handout re: MT 101
161. Airplane and component parts as known and available scale model
162. Mockups, drawings, summary charts as known and available
163. CD with Robert Ramsey's accident investigation photos

- 164. Printed copies Robert Ramsey's accident investigation photos
- 165. Drum/guard
- 166. Turnbuckles, cables, trim wheel, trim indicator
- 167. Travel board
- 168. Digital protractor
- 169. Curriculum vitae of Richard J. Nelson, his expert report and potential exhibits
- 170. Curriculum vitae of Dwight Law, his expert report and potential exhibits
- 171. Video of maintenance and flight crew procedures and pictures
- 172. 1900 Colgan's Continuous Airworthiness Maintenance Program Manual
- 173. Colgan's Flight Operations Policies and Procedures Manual – FOPP
- 174. FOPP page 4-21, 5-12
- 175. Colgan's Continuing Analysis and Surveillance Program
- 176. Dean Flying time, flight logs, and other such documents
- 177. Knabe Flying time, flight logs, and other such documents
- 178. Exhibits to Servis deposition
- 179. Exhibits to Kinan deposition
- 180. Service OJT training record 27-30-4
- 181. Exhibits to Ratliff deposition
- 182. Exhibits to Battaglia deposition
- 183. Exhibits to Desmond deposition
- 184. Exhibits to Vallejo deposition
- 185. Exhibits to Sarluca deposition

186. Exhibits to Barrett deposition
187. Exhibits to Peay deposition
188. Exhibits to Ramey deposition
189. Potential exhibits to expert depositions
190. Autopsy and police reports
191. Eyewitness reports
192. Any exhibits or documents by Defendant presented in this case or in Colgan vs. Raytheon
193. Future persons and documents as they become known and available
194. NTSB Materials:
 - a. Brief of Accident adopted 8/13/2004 from the NTSB website
 - b. NTSB Airplane performance study
 - c. NTSB FDR study
 - d. NTSB FDR Specialist Factual Report
 - e. FDR data plots from UE-40
 - f. History of Flight, NYC03MA183, from the NTSB website
 - g. NTSB Factual Report – Aviation, from the NTSB website
 - h. NTSB Factual Report for N233YV incident
 - i. NTSB Aircraft Accident Report for N233YV incident, less Section 3.2
 - j. NTSB Docket Contents dated 3-15-2004 and numerous attachments
 - k. NTSB Aircraft Maintenance and Records Group Factual Report, dated March 16, 2004

- l. NTSB Airworthiness Group Chairman's Field Notes – NYC03MA183 dated August 31, 2003, September 5, 2003, October 15, 2003 and October 22, 2003
- m. NTSB Airworthiness Group Chairman's Factual Report of Investigation – NYC03MA183, dated April 12, 2004
- n. NTSB Interviews by Robert J. Gretz, Air Safety Investigator
- o. NTSB Safety Board Office of Marine Safety; Subject: Major Investigation Accident, and Factual Report NYC03MA183 Investigation Interviews dated August 27, 2003. Interviewee Dominick Battaglia
- p. NTSB Safety Board Office of Marine Safety; Subject: Major Investigation Accident, NYC03MA183 Investigation Interviews dated August 27, 2003. Interviewee Dan Kinan
- q. NTSB Safety Board Office of Marine Safety; Subject: Major Investigation Accident, NYC03MA183 Investigation Interviews dated August 27, 2003. Interviewee Jeff Vallejo
- r. NTSB Safety Recommendation Letter of March 5, 2004
- s. NTSB Report, Airways Express Incident on June 3, 2000, NTSB ID NY00IA150
- t. NTSB Report, Continental Express Incident on September 16, 2000, NTSB ID MIA00IA266
- u. NTSB Weather report
- v. NTSB Docket contents
- w. NTSB Docket for N240CJ incident (CD-Rom) – Doc. Nos. 7, 11-16, 19, 23, 24 and 26-34
- x. NTSB Safety Recommendations
- y. System Group Field Notes, NTSB Accident No. DCA03MA022
- z. NTSB Group Chairman's Factual Report Dec. 29, 2003 and attachments

- aa. NTSB Group Chairman's Factual Report CVR Oct. 3, 2003
- bb. NTSB Aircraft Maintenance and Records Group Factual Report – NYC03MA183, dated March 16, 2004
- cc. NTSB CVR Chairman Group Study Report
- dd. NTSB Performance Group Chairman Study Report
- ee. NTSB Summary of maintenance manual diagrams
- ff. NTSB Summary of data gathered from Accident NYC03MA183

195. Manufacturers Products/Grounding Liability Policy

- C. Computation and evidence of damages as available and known.**
- D. Insurance Policies and Agreements:**
- E. Photographs, Videos, and other personal items pertaining to Plaintiffs**
- F. Recordings, Photos, Drawings and Statements of Brittany Dean.**

October 12, 2005

Respectfully Submitted,

/s/ Robert McConnell

Robert McConnell, Esq.
(BBO No. 550625)
Mary Schiavo
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CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of October, a true and correct copy of the above and foregoing PLAINTIFFS' RULE 26 INITIAL DISCLOSURES was sent in the United States mail, postage prepaid and properly addressed to the following attorneys of record who do not receive service via electronic filing.

Michael G. Jones
Martin, Pringle, Oliver, Wallace & Bauer, L.L.P.
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Thomas B. Almy
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